

## 14. IMPLEMENTATION

The Culpeper County Comprehensive Plan focuses on maintaining the County's rural character, and protecting the environment and existing agricultural lands, while encouraging controlled growth within and around village centers and the Town, and encouraging growth through the promotion of industry. This Comprehensive Plan is to be used as a policy guide by the County and the community from which to base decisions in support of achieving the goals identified within the Plan. The Future Land Use Plan is general in nature and intended to provide the framework within which to structure future growth and development in the County. For the Comprehensive Plan to be effective, the Goals and Objectives (Chapter 11) section as well as the Future Land Use Plan (Chapter 12) section contained within this Plan, must be implemented through a variety of tools that include both County and State regulations, policies, and procedures. Land use decision-making must be based upon surrounding land uses, environmental and economic impacts and many other aspects in addition to considering the Future Land Use Plan and the Comprehensive Plan.

The primary responsibility for implementing the Culpeper County Comprehensive Plan rests with the Board of Supervisors. The Board uses the Code of the County of Culpeper, Virginia, including the Zoning Ordinance and the Subdivision Ordinance, the acceptance of proffers from rezoning applicants, the development of area-specific improvement plans such as the Lake Pelham Watershed Study, special studies such as the Master Utility Plan, the Capital Improvement Plan, and the County's budget to accomplish this ongoing task. In addition, the Board of Supervisors relies on the various boards, commissions and review agencies to act as key components in the implementation process. These agencies include the Planning Commission, the Board of Zoning Appeals, the School Board, the Culpeper County Health Department, the Agricultural and Forestal Districts Advisory Committee, the Culpeper Fire and Rescue Association, the Culpeper Regional Airport Advisory Committee, the Culpeper Soil and Water Conservation District, the Virginia Department of Transportation, the Rappahannock-Rapidan Regional Commission (PD-9) and the Town of Culpeper. These boards, commissions, and review agencies obtain direction from various sections of this Plan, as well as similar documents of their choosing.

### **LAND DEVELOPMENT REGULATIONS**

Land development regulations, which include the Zoning Ordinance and the Official Zoning Map, the Subdivision Ordinance, and other portions of the Culpeper County Code, are the most frequently used implementation tools of the Comprehensive Plan. These ordinances regulate the use, density, placement, subdivision and construction of all properties located in the County of Culpeper, excluding the Town of Culpeper.

A Subdivision Ordinance has been in effect since August 1960 in Culpeper County. It has gone through a number of major and minor revisions in order to implement changes

to the Comprehensive Plan and the Zoning Ordinance which have occurred over time. The Subdivision Ordinance provides a means to assist in the implementation of the Comprehensive Plan via regulation of lots and related streets, public areas and the recordation of plats.

The Zoning Ordinance for Culpeper County was adopted in December 1967. The Zoning Ordinance is used to control land uses by allowing certain buildings and activities, while phasing out nonconforming uses, and by controlling new development. Special provisions, revisions and reviews are periodically undertaken to ensure that the Culpeper Zoning Ordinance can achieve the goals and objectives of the Comprehensive Plan.

The implementation of the recommendations contained in this Plan will require periodic changes to the County's land development regulations. These regulations include, but are not limited to the following:

- The Subdivision Ordinance (Appendix B, Culpeper County Code)
- The Zoning Ordinance (Appendix A, Culpeper County Code)
- Chapter 14, Culpeper County Code, Sanitary Regulations
- Chapter 10A, Culpeper County Code, Nuisances

The Zoning Ordinance provides for various zoning districts, each of which is uniquely regulated. In addition to the various districts, there are a number of “overlay zones” or additional layers of regulation imposed in addition to the underlying zoning. These overlay districts include:

- The Airport Safety Zone
- The Watershed Management District
- The Floodplain Overlay
- Agricultural and Forestal Districts

## **PROFFERS AND REZONING ACTIONS**

A key feature of this Comprehensive Plan is the designation of land uses in a range of densities (for example, Medium-Density Residential which ranges from 2 to 8 dwelling units per acre). In interpreting the Plan for future development requests, the lower end ranges are the preferred presumed densities, provided that the County's minimum standards of development are met. However, land-use decision making shall not be solely based on the County's Future Land Use Plan.

The Code of Virginia provides that a property owner may proffer reasonable conditions for the use or development of property in addition to the regulations contained in the Zoning Ordinance. Proffers can also include monetary contributions for public infrastructure and/or physical improvements to planned or existing public facilities which are impacted by the proposed development. Proffers should be encouraged with each rezoning proposal. Such an action will assist the County in better implementing the

Comprehensive Plan. Special conditions for public facilities may also be imposed upon special use permit applications. Proffers and conditions associated with these applications should be encouraged to:

- Protect water quality through proper storm water management control of urban runoff.
- Develop all property in an environmentally sensitive manner.
- Promote Best Management Practices and continue the existing flood hazard and watershed protection program.
- Provide a variety of housing types, including housing for low and moderate income citizens and the economically disadvantaged.
- Provide transportation improvements in conformance with the Comprehensive Plan and Capital Improvements Program contained herein.
- Provide alternative pedestrian systems such as sidewalks, bikeways and trail systems.
- Provide water and sewage facilities in conformance with long-range Plans of the County.
- Provide adequate community facilities that foster improved public safety and access to government such as police and fire and rescue facilities, education and municipal facilities.
- Provide opportunities for greenways and passive and neighborhood recreational facilities.
- Preserve significant historic structures and/or areas in conformance with the Comprehensive Plan (Chapter 9).
- Provide assistance for adequate educational facilities for the County's citizens.

### **SPECIFIC STUDIES AND PLANS**

The Comprehensive Plan is relatively general in nature and often does not provide the level of detail necessary to bring about action. Often, a greater level of detail is necessary in order to further carry out the recommendations contained within this Plan. The following are hereby incorporated into the Comprehensive Plan by reference:

- Parks and Recreation Master Plan.
- Comprehensive Plan for Fire and Rescue Services in Culpeper County, Virginia.
- Culpeper Regional Airport, Culpeper, Virginia: Airport Master Plan Study.
- Lake Pelham Watershed Management Plan.
- Master Utility Plan for Water and Sewer.
- Emergency Operations Plan.

- *Airport Master Plan*
- *Culpeper Solid Waste Management Plan.*
- *Capital Improvements Plan.*
- *Culpeper County Historic Sites Inventory.*

## **ECONOMIC INCENTIVES**

Another ingredient to actualizing the Goals and Objectives of the Comprehensive Plan is the incentive to bring economic development into the County. A key factor to the success of any County is its economic base. Some specific designations or programs that will assist Culpeper in its marketing efforts as well as infrastructure improvements are:

- Foreign Trade Zone (FTZ)
- Virginia Community Certification Program
- HUB Zone Program

The following is a brief description of these designations and/or programs and how they will help the County attract more development and/or improve the County's infrastructure.

### **Foreign Trade Zone**

A foreign-trade zone (FTZ) is a site within the United States, in or near a U.S. Customs port of entry, where foreign and domestic merchandise is generally considered to be in international commerce. Foreign or domestic merchandise may enter this enclave without a formal Customs entry or the payment of Customs duties or government excise taxes. Merchandise entering a zone may be: stored, tested, sampled, relabeled, repackaged, displayed, repaired, manipulated, mixed, cleaned, assembled, manufactured, salvaged, destroyed or processed. This allows U.S. firms to have an equal basis for competition with foreign firms with respect to the ability to choose the most cost-competitive components for production from around the world. Culpeper County is one of only five FTZ grantees in Virginia. Several areas have been designated as a Foreign Trade Zone, including the Culpeper County Industrial Airpark.

The Foreign Trade Zone designation will assist Culpeper County by helping to retain industries already located within the County and by providing greater opportunities for those industries to expand their markets. The FTZ designation will also provide an incentive for new industries to locate in Culpeper County, thereby, increasing job opportunities and the local tax base.

## **Virginia Community Certification Program**

The Virginia Community Certification Program was developed to assist communities in improving job opportunities and capital investments by becoming more attractive for the location of industry and related economic development. A community earning designation as a "Certified" community will be assigned a priority status by the Commonwealth of Virginia's Department of Economic Development for the purpose of marketing efforts on behalf of the community. The objectives of the certification program include:

- Providing a program of work by which a community can become better prepared for industrial and economic development,
- Improving the preparedness of the community leadership and enhancing their ability to successfully promote economic development in their communities,
- Providing the Virginia Department of Economic Development with an improved inventory of communities to bring attention to industrial prospects seeking new plant locations.
- Providing public recognition to those communities making the effort to become better prepared for economic development.
- Enhancing community spirit within Virginia through involvement with community residents in meeting the several standards of the certification program.
- Providing benchmarks against which a community can measure its preparedness and readiness for economic development.

A community earning designation as a "Certified" community is presented an award by the Governor at a public presentation. The community is also publicly recognized as a community prepared for economic investment whereby the Virginia Department of Economic Development will encourage widespread attention. The community will receive special attention in certain aspects of the Department of Economic Development's advertising program and will also be awarded highway signs attesting to the community's certification. Certification will assist Culpeper County in its efforts to attract desirable industrial and related development to the County, thereby increasing the tax base and job opportunities for the County residents.

## **HUB ZONES**

The HUB Zone Program is a federal program which provides advantages to businesses which locate within a designated HUB Zone and which have a certain percentage of employees also living within a HUB Zone. HUB Zones are designated based upon specific criteria which suggests that an area could benefit from increased business and employment. HUB Zones in Culpeper County are currently very limited based upon

existing criteria. The program could be beneficial to the right businesses in the right locations, however, and as such, it should be promoted wherever appropriate.

### **COMMUNITY SUPPORT AND REGIONAL COOPERATION**

Another key ingredient necessary to implement the Comprehensive Plan is the active involvement of the public. Every action on the part of the County, whether a zoning change, a Capital Improvements Program, a special use permit, or any of a number of actions which effect the development of the County, is open to public input. Elected officials and County Boards, Commissions, and Committees need and want this public input in order to make informed decisions which will benefit and reflect the wishes of the citizens of Culpeper.

Many of the County programs operate solely by volunteerism, both in terms of staff and operational funds. The following is a brief list of the areas in which public support is required:

- Participation at public hearings,
- Fire and Rescue Services, volunteers and funding,
- Recycling at home and assisting at the collection centers once a month for collection activities,
- Education; parents participating as aides through the PTA and other education activities,
- Civic organizations,
- Cultural groups,
- Hospital auxiliary groups,
- Hospice auxiliary, and
- Recreation.

The County must also seek cooperation with other public and private organizations in order to implement portions of the Plan. The Plan specifically recommends joint cooperation with the Town of Culpeper in the following areas:

- Lake Pelham and Mountain Run Lake Watershed Management Plan,
- Master Utility Plan (water and sewer),

- Recreational Planning,
- Transportation,
- Schools,
- Fire and Rescue,
- Jail facilities/police protection/sheriff, and
- Health Facilities and services.

In addition, the County must continue to actively participate in regional organizations aimed at improving the quality of life throughout the Region. The Plan specifically advocates working with the Rappahannock – Rapidan Regional Commission (PD-9), and the County supports a regional approach in the following areas:

- Transportation, including airport and rail,
- Rivers as a resource,
- Economic Development and tourism,
- Jail Facilities, and
- Fire and Rescue.

### **FUTURE IMPLEMENTATION TOOLS**

This chapter has identified some tools which have been and will continue to be utilized in implementing the Culpeper County Comprehensive Plan. The following are some of the potential ordinances and programs which would be appropriate to pursue in furtherance of realizing the goals and objectives of the Plan.

### **POTENTIAL LAND DEVELOPMENT REGULATIONS**

- **Historic Resources Overlay Zones**

In accordance with Chapter 9, Historic Resources, it is suggested that adoption of historic overlay districts be pursued which would insure protection of certain historic resources and which would insure that development is compatible with historic areas such that historic integrity is not compromised.

- **Technology Overlay Zones**

In accordance with Chapter 3, Economics, it is suggested that incentive zones, or technology zones, be established to encourage desirable industries to locate in Culpeper County. Specific industry criteria and incentives would be need to be developed.

- **Age Restricted Zoning Districts**

Based upon the demographic data presented in Chapter 2, it appears that Culpeper County's population is aging. It may be appropriate to develop a residential zoning district which is specifically intended to provide for retirement age citizens.

- **Storm Water Management Ordinance**

Culpeper County is experiencing a level of urban development which dictates the need for a local storm water management ordinance. Development of this ordinance should be a priority. The ordinance should emphasize the use of Low Impact Development techniques and maintenance of storm water management facilities should be addressed.

- **Lighting Ordinance**

In order to prevent dangerous conditions caused by glare on public roadways, protect privacy of neighbors by limiting light trespass onto adjacent properties, limit atmospheric light pollution, and conserve energy, outdoor lighting regulations should be developed.

## **POTENTIAL CONSERVATION PROGRAMS**

- **Agricultural and Forestal Districts**

The Agricultural and Forestal District program outlined in Chapter 5 provides for voluntary restrictions on development in order to protect farm and forest land. This program should not only be maintained, it should be strengthened through the introduction of greater incentives to enroll. An investigation should be undertaken to determine the feasibility of providing land use taxation benefits only to those properties enrolled in Agricultural and Forestal Districts.

- **Conservation Easements**

More and more, permanent conservation easements are being utilized by private property owners in order to protect land and realize tax benefits. The County should encourage, and facilitate to the extent possible, the establishment of such easements.

- **Purchase of Development Rights (PDRs)**

PDR programs are active in neighboring localities such as Fauquier and Spotsylvania. The feasibility of a PDR program for Culpeper County should be studied, and funding sources should be sought. If established, such a program should include specific criteria for eligibility including prime agricultural soils, enrollment in an Agricultural and Forestal District, agricultural zoning, compatible surrounding land uses, etc.



## **OTHER POTENTIAL ACTIONS**

- **Adoption of a Proffer Guideline Policy**

Utilizing current computer models and formulas, the County should establish a method for calculating cash proffer amount based upon the Capital Improvements Plan, and actual development impacts on capital needs. Cash proffer guidelines should be developed into a formal policy.

- **Adoption of a Facilities Standards Manual**

Consideration should be given to developing and adopting a Facilities Standards Manual which would codify minimum standards for infrastructure. Items such as sidewalks, curb and gutter, storm and sanitary sewer, water lines, BMP facilities, and parking would be addressed.

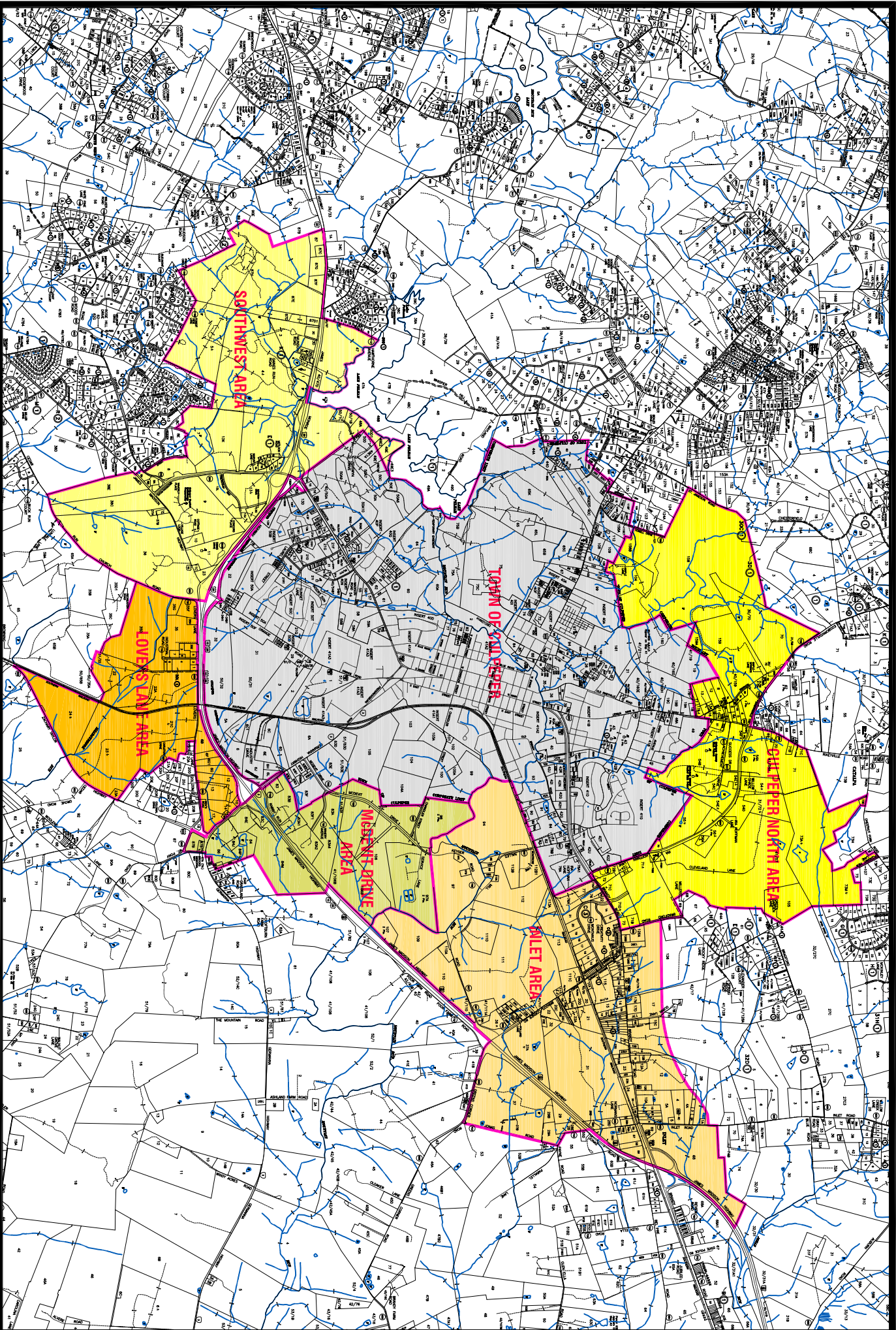
- **Continued Efforts at the State Legislative Level**

Culpeper County, individually and through the Virginia Association of Counties (VACO) should continue to lobby the Virginia State Legislature to enable additional tools to manage the impacts of growth. Specifically, the ability to implement impact fees is desired.

## **POTENTIAL URBAN SERVICES BOUNDARY**

The basis of the Culpeper County Comprehensive Plan is the village center concept, which suggests nodes of development in certain areas where services and infrastructure can be provided in a cost effective manner while agriculture and open space are preserved in the majority of the County. The Town of Culpeper serves as the largest village center in the County. The services available within and around the Town, as well as the road network, clearly suggest that the most substantial development in the County should occur around the borders of the Town.

As such, it is important to define the areas around the Town which are appropriate for development and to establish a boundary beyond which urban type development should not occur. Map 14.A provides for an “Urban Services Boundary” which could be adopted as a matter of policy in order to establish a limit on dense development and on the extension of services such as water and sewer. Unless formally adopted service areas for water and sewer are implemented by subsequent action of the Board of Supervisors, the areas inside the Urban Services Boundary should not be construed as areas in which service could be expected with any certainty.



14.A: URBAN SERVICES BOUNDARY  
CULPEPER COUNTY, VIRGINIA

